

ORDINANCE NO 226 N.S.

AN ORDINANCE DEFINING, REGULATING AND LICENSING CARD and BILLIARD ROOMS and PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED by the City Council of the City of El Paso de Robles as follows:

SECTION 1. It shall be unlawful for any person, firm or corporation to engage in or carry on, in the City of El Paso de Robles, any billiard parlor, pool room or card room, without first securing a permit and procuring a license as herein prescribed.

SECTION 2. The applicant for such a license shall file with the City Clerk of said City a written application therefor, signed by him, setting forth the nature of the business that he wishes to engage in, the place where he proposes to establish such business, including the particular building, and room or rooms. Any applicant, for any such license shall accompany his application with a bond by some authorized surety company to be approved by the City Council in the penal sum of Five Hundred Dollars (\$500.00) payable to said City, and conditioned that neither the applicant nor any one in his employ in such business will violate any ordinance of this City or any law of this State, or of the United States of America or any political subdivision or agency thereof, during the time for which said license is granted. That upon a violation of the condition of said bond the same shall be and become due and payable to said City and the penalty thereof may be recovered in a civil action. The conviction of, or plea of guilty by the person to whom such license is issued, or any one in his employ in such

business for the violation of any such ordinance or law, shall ipso facto work a forfeiture of said bond, any such conviction or plea of guilty shall be conclusive evidence of such forfeiture, and in the event of such conviction or plea of guilty the license shall be cancelled.

The City Council may, if satisfied with the form of application and bond, and that the applicant is a citizen of the United States, over the age of Twenty One Years and of good moral character, order issued to the applicant the license applied for upon the payment of an annual license fee of Sixty Dollars (\$60.00) together with the following additional fees:

(a) Where the application is for a card room alone the license shall be Ten Dollars (\$10.00) additional for each table above four such tables.

(b) Where the application is for pool or billiard games the license shall be Ten Dollars (\$10.00) additional for each table above four such tables.

(c) No license shall be granted to any applicant to conduct card games if three such places are then licensed or being operated or to conduct any pool or billiard games if two such places are being licensed or operated.

(d) No license shall be issued under this ordinance where the business to be conducted is not on the first or ground floor of the building wherein it is to be conducted.

(e) Any room where any card game is conducted shall be so constructed that there are no partitions in said card room between the street entrance and the card tables and all tables therein are in plain view from any street entrance in said room and the windows of said card room shall be unobstructed, except by lettering which shall

not occupy more than 25 per cent of the space of any window and said windows shall be not less than Thirty (30) square feet in dimension nor more than Four (4) feet above the level of the sidewalk.

(f) Any business licensed under this ordinance shall not remain open between the hours of ^{2:00}~~12:00~~ o'clock and 6:00 A.M.

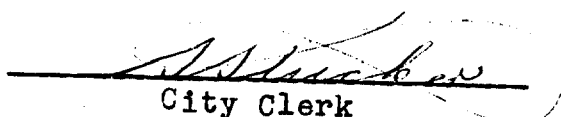
SECTION 3. Any business licensed under this ordinance that retails any merchandise shall also obtain a gross receipts license as provided under Ordinance No. 223 N.S.

SECTION 4. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each section, sub-section, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 5. Any violation of this ordinance shall constitute a misdemeanor, and any person found guilty thereof shall, upon conviction of plea of guilty, be punished by a fine of not less than five dollars or more than three hundred dollars or by imprisonment in the jail of said City, or in the jail of the County of San Luis Obispo, for not more than three months, or by both such fine and imprisonment, and when a fine is imposed the judgement may direct that the defendant be imprisoned in said city jail, or in said county jail till such fine is satisfied at the rate of two dollars per day.

The Foregoing Ordinance is hereby approved after passage this 4th day of May, 1959

ATTEST:


City Clerk


Mayor PRO. TEM.

STATE OF CALIFORNIA
COUNTY OF SAN LUIS OBISPO
CITY OF EL PASO DE ROBLES

} SS.

I, S. S. Tucker, City Clerk of the City of
El Paso de Robles, California, do hereby certify that the foregoing Ordinance
No. 226, N.S. was duly and regularly adopted, passed, and approved by the City
Council of the City of El Paso de Robles, California, at a regular meeting of said City
Council held at the regular meeting place thereof, on the 4th day, of May
1959, by the following vote:

AYES: Councilmen Leisy, McAndrews, Mandella and Smart

NOES: Councilmen None

ABSENT: Councilmen Sturgeon

Dated this 4th day of May, 1959

S. S. Tucker
City Clerk and Ex-Officio Clerk of the City Council,
City of El Paso de Robles, State of California.